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FELLOW, AMERICAN COLLEGE OF TRIAL LAWYERS

March 12, 2021

Via ECF and Email

Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
Foley Square
New York, New York 10007

Re: *United States v. Ari Teman*
S2 19 Cr. 696 (PAE)

Dear Judge Engelmayer:

In your Honor's Order of January 28, 2021, the Court set forth its concerns regarding questions related to bail pending appeal, restitution and forfeiture. Additionally, the Court posted a schedule that would require the parties to respond to the Court's concerns on February 12 and February 26, respectively. Subsequently, incoming counsel requested an additional 45 days and your Honor graciously extended the filing date until today, March 12, 2021.

I write to update the Court as follows: incoming counsel have made considerable progress in terms of familiarizing ourselves with the intricacies of Mr. Teman's case – but we have more work to do.

As officers of the Court, Mr. Frisch and I are comfortable representing to your Honor that it remains premature for us to identify, with sufficient confidence and specificity, the arguments upon which we expect to rely. We can say, with a degree of certitude, however, that there appear to be a number of substantive avenues that counsel continue to analyze. Moreover, a further extension of time will have the added benefit of enabling the Court to consider developments in the pandemic, as was discussed when the parties appeared on December 1, 2020.

I have discussed this request with AUSA Bhatia and he consents to a further three-week extension of time, for the filing of both parties' papers. It is respectfully submitted that such a modest amount of additional time will best serve the interest of justice. Additionally, we would consent to permit government counsel 14 days within which to prepare its response to the defense submission.

Accordingly, counsel for Mr. Teman respectfully request that your Honor permit both the defense and the government an additional three weeks within which to respond to your Honor's questions and also to raise any further concerns.

As always, your Honor's assistance with these matters is greatly appreciated.

Respectfully submitted,

/s/

Susan G. Kellman

/s/

Andrew J. Frisch

cc: All Counsel